

AMENDED IN ASSEMBLY APRIL 22, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2302

Introduced by Assembly Member Mullin

February 21, 2014

An act to amend Section 8278.3 of the Education Code, relating to child care and development services, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2302, as amended, Mullin. Child care and developmental services: facilities.

Existing law establishes the Child Care Facilities Revolving Fund, a continuously appropriated fund in the State Treasury, to provide funding for the renovation, repair, improvement, or purchase of child care facilities for lease to school districts and contracting agencies that provide child care and developmental services pursuant to the Child Care and Development Services Act. Existing law provides for payment by the school district or contracting agency of a leasing fee over a 10-year period, after which title transfers to the district or agency.

This bill would ~~provide that this funding shall be used for the renovation, repair, or improvement of an existing child care facility for lease to school districts and contracting agencies that provide child care and development services, and facilities that provide transitional kindergarten programs. This bill would extend the period of the lease from 10 years to 14 years.~~

~~The~~ years. *The* bill would ~~also~~ require the department to adopt regulations to establish priorities, forms, policies, and procedures for

implementing and managing the fund, and to promote the availability of the fund on its Internet Web-site.

~~Existing law establishes that a school district or county office of education that provides child care pursuant to the California School Age Families Education Program is eligible to apply for and receive moneys under the fund.~~

~~This site.~~ The bill would provide that ~~these~~ *eligible* applicants may apply for, and receive, a funding award from the fund up to \$400,000 for a single, freestanding relocatable or modular building, and up to \$200,000 for each additional module added to an existing building. The bill would also require that a funding award not exceed \$900,000 for any applicant for the renovation, repair, or improvement of an existing building.

The bill would state the intent of the Legislature that \$7,000,000 shall be appropriated annually in the Budget Act, to fund specified purposes related to child care facilities.

~~By changing the purpose of this continuously appropriated fund, this bill would make an appropriation.~~

Vote: majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8278.3 of the Education Code is amended
2 to read:
3 8278.3. (a) (1) The Child Care Facilities Revolving Fund is
4 hereby established in the State Treasury to provide funding for the
5 renovation, repair, or improvement of an existing building to make
6 the building suitable for licensure for child care and development
7 services and for the purchase of new relocatable child care facilities
8 for lease to school districts and contracting agencies that provide
9 child care and development services pursuant to this chapter, or
10 ~~that provide transitional kindergarten programs pursuant to Section~~
11 ~~48000: chapter.~~ The Superintendent may transfer state funds
12 appropriated for child care facilities into this fund for allocation
13 to school districts and contracting agencies, as specified, for the
14 ~~replacement and expansion of capacity of child care facilities, and~~
15 ~~facilities that offer transitional kindergarten programs: purchase,~~
16 ~~transportation, and installation of facilities for replacement and~~
17 ~~expansion of capacity.~~ School districts and contracting agencies

using facilities made available by the use of these funds shall be charged a leasing fee, either at a fair market value for those facilities or at an amount sufficient to amortize the cost of purchase and relocation, whichever amount is lower, over a 14-year period. Upon full repayment of the purchase and relocation costs, title shall transfer from the State of California to the school district or contracting agency. The Superintendent shall deposit all revenue derived from the lease payments into the Child Care Facilities Revolving Fund.

(2) Notwithstanding Section 13340 of the Government Code, all moneys in the fund, including moneys deposited from lease payments, are continuously appropriated, without regard to fiscal years, to the Superintendent for expenditure pursuant to this article.

(b) On or before August 1 of each fiscal year, the Superintendent shall submit to the Department of Finance and the Legislative Analyst's Office a report detailing the number of funding requests received and their purpose, the types of agencies that received funding from the Child Care Facilities Revolving Fund, the increased capacity that these facilities generated, a description of the manner in which the facilities are being used, and a projection of the lease payments collected and the funds available for future use.

(c) A school district or county office of education that provides child care pursuant to the California School Age Families Education Program (Article 7.1 (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4 of Title 2) is eligible to apply for and receive funding pursuant to this section.

(d) The department shall adopt regulations to establish priorities, forms, policies, and procedures for implementing and managing the Child Care Facilities Revolving Fund that set expansion of capacity, *including expansion of capacity of existing sites*, as a priority, and shall promote the availability of the fund on its Internet Web site.

(e) (1) A funding award under this section shall not exceed nine hundred thousand dollars (\$900,000) per award for the renovation, repair, or improvement of an existing building.

(2) An eligible applicant ~~under subdivision (e)~~ may apply for, and receive, a funding award up to four hundred thousand dollars (\$400,000) for a single, freestanding relocatable or modular building consisting of three 12-by-40-foot modules, and up to two

1 hundred thousand dollars (\$200,000) per additional module added
2 to an existing building.
3 (f) It is the intent of the Legislature to annually appropriate the
4 amount of seven million dollars (\$7,000,000) in the Budget Act
5 to fund purposes specified in Provision 3 of Item 6110-194-0001
6 of Section 2.00 of the Budget Act of 2013.

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